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MAR 13 2006

FCC - MAILROOM

COLONIAL INTERMEDIATE UNIT 20

*A Regional Service Agency*

Auxiliary Services and Technology  
6 Danforth Drive  
Easton, PA 18045-7899

Telephone (610) 515-6471  
FAX (610) 252-0471

DOCKET FILE COPY ORIGINAL

March 9, 2006

Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Request for Review  
CC Docket No. 02-6  
CC Docket No. 96-45

Applicant Name: Colonial Intermediate Unit 20  
Billed Entity Number: 125917  
Billed Entity Name: Intermediate Unit 20  
471 Application Number: 444367

To Whom It May Concern:

We are writing to request a review of an Administrator's Decision on Appeal – Funding Year 2005-2006 dated January 12, 2006. This decision was the denial of an appeal submitted by Colonial Intermediate Unit 20 on November 15, 2005 to the Schools and Libraries Division of the Universal Service Administrative Company. Copies of the initial appeal and the Administrator's Decision have been attached to this document.

Our Form 471 certification and the required Item 21 attachments were mailed well within the timelines established by the program following a process we have utilized without problems for over 5 years, and which was also utilized successfully for a second Form 471 about a week later. SLD has acknowledged receiving our package from UPS within this accepted time frame. They have, however, stated that there was no certification page included with the documents that were received.

The support provided by the E-rate program is critical and we have been extremely careful about following the process as prescribed by SLD. We have been participating in

No. of Copies rec'd 0  
List A B C D E

the program since its beginning without incident. In our initial appeal, you will see affidavits signed by our Executive Director and two other employees attesting that the Block 6 certification was signed and sent to SLD via UPS within the appropriate time frame.

We are a regional educational service agency providing services to special needs children in our 13 member school districts. Because of this, our E-rate application is fairly complex. The package that was mailed contained both our Form 471 Block 6 certification page and approximately 200 pages of Item 21 attachments which we are also required to submit. The certification page was the key page. It was the page that had to be submitted by the deadline and it was the page on which the address was printed to which this package was sent. It was the cover page for our package of documents and would not have been omitted.

Over the past year we have had a great deal of communication with the SLD regarding this situation and we documented that in our initial appeal. This was an extremely time consuming and frustrating experience but we did learn more about the process. We were told that SLD received over 1000 packages the day ours arrived. Each document was taken and scanned into their computer system. When we inquired about the missing certification, we were told that it was not showing up in the system. It took repeated requests to get the SLD to look in adjacent scanned files to see if it had been misplaced in the scanning process. We are still not sure of the extent of their review of the scanned files processed that day, nor do we know if they ever looked at the physical files or if the physical files from that day are still available.

In order to initiate the appeal process, we were directed to resubmit our certification page out of window. This was sent out via UPS on July 6, 2005 and delivered on July 7, 2005. It took repeated telephone calls before SLD finally acknowledged finding it in their mail room, and additional calls to get it entered into their system. Months after the second submission, we finally received an "Out of Window" letter dated September, 23, 2005. This allowed us to initiate the appeal process.

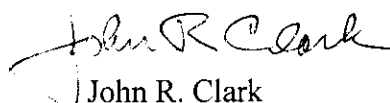
As stated in our initial appeal, our experience taking well over two months and numerous phone calls just to have the copy of our re-filed certification entered into the system at SLD, and the tremendous amount of materials that are processed by SLD on a daily basis, lend support to the strong possibility that the original certification was misplaced. It could have been misplaced in the scanning process, filed in another folder, or discarded with the packaging materials. We are aware of the fact that the SLD operation in Lawrence, Kansas has misplaced certifications in the past and are requesting that you consider that possibility in this case. We have provided affidavits from several of our staff members that the certification page was included in the package, SLD has acknowledged receiving the package within the time frame, yet the certification page can not be found.

We are, therefore, requesting a review of the Administrator's Decision dated January 12, 2006 denying our appeal of November 15, 2005.

Contact Information: John R. Clark  
Contact Address: Colonial Intermediate Unit 20  
6 Danforth Drive  
Easton, PA 18045-7899  
Telephone: 610-515-6472  
Fax: 610-252-0471  
Email: jclark@ciu20.org

Thank you for your assistance and cooperation in resolving this matter.

Sincerely;

  
John R. Clark  
Director of Technology

Cc: Dr. Charlene M. Brennan  
Ms. Julie Tritt Schell  
Mr. Stephen Spengler  
Mr. Stephen Williams  
Mrs. Sara Breidinger  
Sen. Arlen M. Specter  
Sen. Rick Santorum  
Rep. Charles W. Dent  
Rep. Paul E. Kanjorski  
Rep. Donald Sherwood

Attachments: Letter of Appeal  
Administrator's Decision on Appeal



## COLONIAL INTERMEDIATE UNIT 20

*A Regional Service Agency*

Auxiliary Services and Educational Technology  
6 Danforth Drive  
Easton, PA 18045-7899

Telephone (610) 515-6471  
FAX (610) 252-0471

November 15, 2005

Letter of Appeal  
Schools and Libraries Division  
Box 125 – Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

Applicant Name: Colonial Intermediate Unit 20  
Billed Entity Number: 125917  
471 Application Number: 444367  
Exact text of the decision being appealed: Your Form 471  
Certification was postmarked on 07/06/2005, which is  
AFTER the 2005-2006 filing window and closed at 11:59  
p.m. EST on Friday, February 18, 2005.  
Date of decision letter: September 23, 2005

### To Whom It May Concern:

We are writing to appeal an SLD decision that our Form 471 certification was filed outside the Funding Year 2005 application window. We believe the evidence will show that the certification pages were mailed on February 10<sup>th</sup>, 2005 – well within the window. Please note that in order to have a basis for this appeal, we re-filed the Form 471 certification in order to obtain a letter stating that our Form 471 Block 6 Certification was postmarked after February 18<sup>th</sup> and our funding request will not be considered for funding for the 2005-2006 year.

### Presentation of Facts:

On February 10, 2005, Steve Williams, Management Assistant for Midrange Technology and the person responsible for processing the E-Rate applications for the IU, took the Block 6 Certifications to Dr. Charlene M. Brennan to be signed. Dr. Brennan signed the certifications and he proceeded to take those pages, and relevant Item 21 Attachments to the mail room. The package was delivered to Mrs. Sara Breidinger, who manages our duplication and mail operations, and both Steve and Sara processed the package for shipping to SLD as per the instructions on the Block 6 Certification. The package was sent via UPS. Tracking information indicates it was sent and received within the acceptable time frame. This is the same procedure that was also utilized to successfully submit a second Form 471 this year. It is the identical procedure we have followed for over five years without problems. The key point is that the certification pages did not leave the hands of Steve Williams from the time they were presented

to Dr. Brennan to the time they were inserted into the UPS envelope for delivery to the SLD. The Item 21 attachment and certification package was signed and received by the Schools and Libraries on February 14<sup>th</sup> at 10:22 AM by an individual named Oshel (documentation attached).

After months of not receiving any correspondence from the SLD pertaining to this application, we called the SLD Client Service Bureau on July 6, 2005 to inquire as to why we had not received our Receipt Acknowledgement Letter (RAL) for the certification pages from Form 471 Application number: 444367 while we had received our RAL from another Form 471 Application number: 471403 that was mailed a week later.

One of our staff members, Steve Williams, spoke with an individual by the name of Janelle at about 8:00 AM and she informed him that SLD could not find our certification pages. At 8:30 AM Mr. Williams called Janelle back with the time and the information we had about our package being received on February 14<sup>th</sup> as mentioned above. We also faxed this information to Janelle. We have attached the UPS Tracking information confirming its receipt at that time. At 11:10 AM Janelle called us back and indicated that she looked at the information that was scanned into their computer system and was able to locate the item 21 attachments but was not able to locate the certification pages that were sent with them. She requested that we send her a copy of the certification pages in question. Since we retained a full copy of the original documents we were able to make another copy of the certification pages from that copy since the original had been mailed on February 10, 2005. These new copies were immediately sent and were received the next day as noted below. Had we not inquired, we still would not have heard anything from SLD regarding this Form 471 application.

On July 6, 2005 at 2:35 PM we contacted our State E-rate Coordinator, Julie Tritt Schell, and explained the situation and together she and Steve Williams called the SLD's Client Service Bureau, this time speaking with an individual named Cathy Carley. She looked into the electronic documents scanned into their computer and also could not locate the certification pages. Ms. Carley indicated that they received over 1000 packages that day but she was going to check with her supervisor to determine if there was a way she could see more than she was currently viewing in an effort to locate our form.

On July 13, 2005, we still had not heard anything from the SLD and therefore Mr. Williams contacted SLD at 9:35 AM to see if they received the copy of the certification pages they requested from us. He spoke with Cathy Carley who checked their computer system and she indicated that they were not showing up on the system. He explained to her that they were delivered to SLD by UPS on July 7, 2005 at 10:15 AM and signed for by an individual named Woodell. Ms. Carley had also not been able to locate our original form and indicated that when they received our second form and it was entered into the system, it will cause an Out of Window letter to be sent and when that occurs we could then initiate an appeal. She said she would check every day for the second certification to show up and will email us when they do.

On July 26, 2005, we again contacted Cathy Carley at SLD and, although she checked every day, our second set of certification pages still hadn't shown up. She was going to check with the mail room at SLD to see if it could be found. At 11:25 AM, Ms. Carley called us and indicated that our second set of certification pages was found in the mail room and she was going to get it

processed. We should then receive the Out of Window letter. Steve Williams received an email at 11:54 AM confirming that the Form 471 certification was received and was in process.

We continued checking the SLD's Online 471 Application Status Display to see when the second certification would show up. Nothing appeared online and no letter came in the mail.

I spoke personally with Cathy Carley at SLD on September 14, 2005 at about 4:00 PM regarding the application status of our Form 471 certification. She checked her notes regarding the fact that they did find our second set of Block 6 Certification pages on July 26<sup>th</sup>. She confirmed that they were there at SLD and still didn't know why they were not in the system. Not being in the system would explain why our application status had not yet been changed from "complete" to "filed out of window." Evidently they should have been sent on to the next level and she seemed to view that as unusual. She sent another email to the SLD group that handled it and indicated that she would email me when they respond to her.

We are a regional educational service agency providing services to special needs children from our member school districts. I explained the critical situation in which that put us and inquired about starting an appeal anyway. Ms. Carley clearly stated that it would just be sent back to us since there wouldn't be anything to appeal about. I again made a case for the problem this delay was creating for us and she said she would get us a response.

On September 19, 2005, after not hearing from SLD, I checked the online Application Status Display and it finally indicated our Form 471 was "Certified Out of Window." We received our "Out of Window" letter the following week, dated September 23, 2005. I have no doubt that this form might also have been lost had we not been persistent in our inquiries.

#### Summary:

It is no doubt that the SLD operation in Lawrence, Kansas is prone to misplacing or losing documents. The situation above is clear evidence of this. But we also have learned that in funding year 2001, the employees at the Lawrence, Kansas facility misplaced more than 100 certifications, thus resulting in the Pink Postcard scandal. To our knowledge, there have been no changes made to the procedures for certification processing and thus we have reason to believe that our certification may have fallen into the same unfortunate fate as the 100 certifications in 2001, and countless applications afterwards that have gone unreported.

Our subsequent experience taking well over two months and numerous phone calls just to have the copy of our re-filed certification entered into the system at SLD, and the tremendous amount of materials that are processed by SLD on a daily basis, lend support to the strong possibility that the original certification was misplaced.

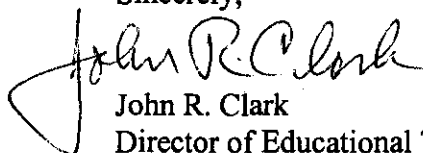
I have attached a copy of the certification and Service Contract describing services to be delivered that were sent in this package as well as affidavits from several members of our staff attesting that the Block 6 Certification was signed and mailed on that date. Our applications have been funded successfully for several years, using the same procedure, process, and service providers. We also successfully submitted another Form 471 utilizing the identical procedure this year. Because we were not made aware of any documents missing or not being delivered,

the Schools and Libraries made an assumption that these items were not submitted and we were not given a chance to provide proof of delivery or additional information up until this appeal.

Contact Information: John R. Clark  
Contact Address: Colonial Intermediate Unit 20  
6 Danforth Drive  
Easton, PA 18045-7899  
Telephone: 610-515-6472  
Fax: 610-252-0471  
Email: jclark@ciu20.org

Thank you for your assistance and cooperation in resolving this matter.

Sincerely;



John R. Clark  
Director of Educational Technology

Cc: Dr. Charlene M. Brennan  
Ms. Julie Tritt Schell  
Mr. Stephen Spengler  
Mr. Stephen Williams  
Mrs. Sara Breidinger  
Sen. Arlen M. Specter  
Sen. Rick Santorum  
Rep. Charles W. dent  
Rep. Paul E. Kanjorski  
Rep. Donald Sherwood

Attachments: Affidavits:

- Charlene M. Brennan
- Stephen Williams
- Sara Breidinger

UPS Package Tracking Details

Form 471 Block 6 Certifications and Signature



## COLONIAL INTERMEDIATE UNIT 20

*A Regional Service Agency*

6 Danforth Drive  
Easton, PA 18045-7899

Telephone (610) 252-5550 • FAX (610) 252-5740  
Business Office FAX (610) 923-6229  
Special Programs FAX (610) 559-7103  
TDD/TTY Hearing Impaired (610) 252-3786

November 11, 2005

To Whom It May Concern:

This is to attest to the fact that on February 9, 2005, in my previous capacity as Assistant Executive Director and as the person authorized to order telecommunications and other supported services for our organization, I, Charlene M. Brennan, did sign the Block 6 Certification for Colonial Intermediate Unit 20 that is referenced by the following information:

Applicant Name: Colonial Intermediate Unit 20  
Billed Entity Number: 125917  
Applicant's Form Identifier: IU20-471-Year8  
470 Application Number: 866480000508532  
471 Application Number: 444367

This was then personally given to Mr. Stephen Williams, the individual on our staff responsible for processing our E-Rate application. He, in turn, sent it to SLD via UPS.

This is the same procedure that was also utilized to successfully submit a second Form 471 this year. We have been processing applications each year since the beginning of the program without incident.

Dr. Charlene M. Brennan  
Executive Director

SWORN AND SUBSCRIBED BEFORE ME THIS 11th  
DAY OF November 2005  
Mary Ellen Callanan

NOTARIAL SEAL  
MARY ELLEN CALLANAN, Notary Public  
Easton, Northampton Co., PA  
My Commission Expires Nov. 3, 2007

# **COLONIAL INTERMEDIATE UNIT 20**

*A Regional Service Agency*

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Easton, PA 18045-7899

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TDD/TTY Hearing Impaired (610) 252-3786

November 11, 2005

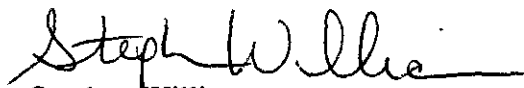
To Whom It May Concern:

This is to attest to the fact that on February 10, 2005, in my capacity as Management Assistant for Midrange Technology and as the person responsible for processing the E-Rate applications for our organization, I, Stephen Williams, did receive the properly signed Block 6 Certification for Colonial Intermediate Unit 20 that is referenced by the following information after it was properly signed by Dr. Charlene M. Brennan:

Applicant Name: Colonial Intermediate Unit 20  
Billed Entity Number: 125917  
Applicant's Form Identifier: IU20-471-Year8  
470 Application Number: 866480000508532  
471 Application Number: 444367

I then personally took this certification along with the relevant Item 21 Attachments to Mrs. Sara Breidinger, who manages our duplication and mail operations. Together we processed the package for shipping to SLD as per the instructions on the Block 6 Certification itself. It was sent via UPS. I personally took the certification pages from the time they were signed through when they were put in the envelope and picked up by UPS. They did not leave my sight. Tracking information indicates it was sent and received within the acceptable time frame.

This is the same procedure that was also utilized to successfully submit a second Form 471 this year. It is the procedure we have followed for over five years without problems.

  
Stephen Williams  
Management Assistant  
Midrange Technology

**SWORN AND SUBSCRIBED BEFORE ME THIS** 11th  
**DAY OF** November 2005  
Mary Ellen Callanan

**NOTARIAL SEAL**  
MARY ELLEN CALLANAN, Notary Public  
Easton, Northampton Co., PA  
My Commission Expires Nov. 3, 2007

## COLONIAL INTERMEDIATE UNIT 20

*A Regional Service Agency*

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Special Programs FAX (610) 559-7103  
TDD/TTY Hearing Impaired (610) 252-3786

November 14, 2005

To Whom It May Concern:

This is to attest to the fact that on February 10, 2005, in my capacity as manager of the mail room for our organization, I, Sara Breidinger, did mail to SLD the properly signed Block 6 Certification and Item 21 Attachments for Colonial Intermediate Unit 20 that is referenced by the following information after it was properly signed by Dr. Charlene M. Brennan:

Applicant Name: Colonial Intermediate Unit 20  
Billed Entity Number: 125917  
Applicant's Form Identifier: IU20-471-Year8  
470 Application Number: 866480000508532  
471 Application Number: 444367

Mr. Stephen Williams brought me the certification pages and we processed the package for shipping to SLD as per the instructions on the Block 6 Certification itself. It was sent via UPS. Tracking information indicates it was sent and received within the acceptable time frame.

This is the same procedure that was also utilized to successfully submit a second Form 471 this year. It is the procedure we have followed for over five years without problems.

*Sara Breidinger*

Sara Breidinger  
Mail Operations

SWORN AND SUBSCRIBED BEFORE ME THIS 14th  
DAY OF November 2005  
Mary Ellen Callanan

NOTARIAL SEAL  
MARY ELLEN CALLANAN, Notary Public  
Easton, Northampton Co., PA  
My Commission Expires Nov. 3, 2007

Sent original certification

Colonial Intermediate Unit 20 - IMS Department

DAILY SHIPMENT DETAIL REPORT

02/11/05 03:12 PM

Pickup Date: 02/11/05

Pickup Record No.: 2048934 59 1

UPS Account No.: 255747  
Sorted By: Order of Shipment

Name/Address	Shipment Detail	Options	Reference Rate Charges
Ship To: Deborah L. Goldstein Bellwood-Antis M/HS Library IDS#180-A03 400 Martin St BELLWOOD PA 16617	Service Type: UPS GROUND Total Packages: 1 Hundredweight: No Billable Wt.: 1.0 Billing Option: Prepaid	Shipment Service Charge:	\$ 4.87
	Tracking No.: 1Z2557470342362304 Package Type: Package Weight: 1.0	Package Service Charge: 3rd Party Amt: (16393X) UPS Total Charge:	\$ 4.87 \$ 4.87 \$ 4.87
Ship To: Beaver Area Jr/Sr High Sch Lib IDS# 287A20 Gypsy Glen Rd BEAVER PA 15009	Service Type: UPS GROUND Total Packages: 1 Hundredweight: No Billable Wt.: 2.0 Billing Option: Prepaid	Shipment Service Charge:	\$ 3.89
	Tracking No.: 1Z2557470342431113 Package Type: Package Weight: 2.0	Package Service Charge: 3rd Party Amt: (16393X) UPS Total Charge:	\$ 3.89 \$ 3.89 \$ 3.89
Ship To: Pocono Mt Public Library IDS# 126-A06 5540 Memorial Blvd TOBYHANNA PA 18466-8942	Service Type: UPS GROUND Total Packages: 1 Hundredweight: No Billable Wt.: 1.0 Billing Option: Prepaid	Shipment Service Charge:	\$ 4.87
	Tracking No.: 1Z2557470342933723 Package Type: Package Weight: 1.0	Package Service Charge: 3rd Party Amt: (16393X) UPS Total Charge:	\$ 4.87 \$ 4.87 \$ 4.87
Ship To: Wyomissing Area Jr/Sr high School IDS# 297A10 630 Evans Avenue READING PA 19610	Service Type: UPS GROUND Total Packages: 1 Hundredweight: No Billable Wt.: 1.0 Billing Option: Prepaid	Shipment Service Charge:	\$ 3.62
	Tracking No.: 1Z2557470342994131 Package Type: Package Weight: 1.0	Package Service Charge: 3rd Party Amt: (16393X) UPS Total Charge:	\$ 3.62 \$ 3.62 \$ 3.62
Ship To: Erie County Public Library IDS# 129 160 East Front St ERIE PA 16507-1554	Service Type: UPS GROUND Total Packages: 1 Hundredweight: No Billable Wt.: 1.0 Billing Option: Prepaid	Shipment Service Charge:	\$ 3.71
	Tracking No.: 1Z2557470342256349 Package Type: Package Weight: 1.0	Package Service Charge: 3rd Party Amt: (16393X) UPS Total Charge:	\$ 3.71 \$ 3.71 \$ 3.71
Ship To: c/o Ms. Smith SLD- Form 471 3833 Greenway Dr. LAWRENCE KS 66046	Service Type: UPS NEXT DAY AIR Total Packages: 1 Hundredweight: No Billable Wt.: LTR Billing Option: Prepaid	Shipment Service Charge:	\$ 17.25
	Tracking No.: 1Z2557470142484356 Package Type: UPS Letter	Package Service Charge: Shipper Amt: UPS Total Charge:	\$ 17.25 \$ 17.25 \$ 17.25

IDS

061

17.29

Sent 2/11/2005

10<sup>25</sup> 2/11  
W. Ophel

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UPS United States

[Shipping](#) [Tracking](#) [Support](#) [Business Solutions](#)

## Tracking

Log-In User ID:

Password:

[Forgot Password](#)[Regi](#)

## → Track by Tracking Number

→ Track by E-mail

→ Import Tracking Numbers

## → Track by Reference Number

→ Track by Freight Tracking Number

→ Track by Freight Shipment Reference

→ Track with Quantum View

→ Sign Up for Signature Tracking

→ Void a Shipment

→ Help



## Track by Tracking Number

## View Details

**Status:** Delivered  
**Delivered on:** Feb 14, 2005 10:22 A.M.  
**Signed by:** OSHEL  
**Location:** GUARD  
**Delivered to:** LAWRENCE, KS, US

**Tracking Number:** 1Z 255 747 01 4248 435 6  
**Service Type:** NEXT DAY AIR

*Original Form 471  
Block 6 certification  
received 2/14/05*

## Package Progress:

Date/ Time	Location	Activity
Feb 14, 2005 10:22 A.M.	LAWRENCE, KS, US	DELIVERY

Tracking results provided by UPS: Oct 6, 2005 1:56 P.M. Eastern Time (USA)

**NOTICE:** UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

[← Back to Tracking Summary](#)

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Colonial Intermediate Unit 20 - IMS Department  
 DAILY SHIPMENT DETAIL REPORT  
07/06/05 03:19 PM

*Sent copy of certification*

Pickup Date: 07/06/05  
 Pickup Record No.: 2048933 42 3

UPS Account No.: 255747  
 Sorted By: Order of Shipment

Name/Address	Shipment Detail	Options	Reference Rate Charges
<div>           Ship To: c/o Ms. Smith            SLD- Form 471            3833 Greenway Dr.            LAWRENCE KS 66046         </div>	Service Type:	UPS NEXT DAY AIR	Shipment Service Charge: \$ 17.25
	Total Packages:	1	
	Hundredweight:	No	
	Billable Wt.:	LTR	
	Billing Option:	Prepaid	
	Tracking No.:	1Z2557470142799043	Package Service Charge: \$ 17.25
	Package Type:	UPS Letter	Shipper Amt: \$ 17.25
			UPS Total Charge: \$ 17.25

561

17.25

Summary Totals:

Shipment Option	Shpts	Pkgs	Ref Charges	Billing Option	Shpts	Pkgs	Ref Charges
Package Option				Prepaid	1	1	\$ 17.25
				TOTAL CHARGES			\$ 17.25
				1 Shipment(s)			
				1 Package(s)			



UPS United States

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## Tracking

Log-In User ID:

Password:

[Forgot Password](#)[Register](#)

## → Track by Tracking Number

→ Track by E-mail

→ Import Tracking Numbers

→ Track by Reference Number

→ Track by Freight Tracking Number

→ Track by Freight Shipment Reference

→ Track with Quantum View

→ Sign Up for Signature Tracking

→ Void a Shipment

→ Help



## Track by Tracking Number

## View Details

**Status:** Delivered  
**Delivered on:** Jul 7, 2005 10:15 A.M.  
**Signed by:** WOODELL  
**Location:** GUARD  
**Delivered to:** LAWRENCE, KS, US  
**Shipped or Billed on:** Jul 6, 2005

**Tracking Number:** 1Z 255 747 01 4279 904 3  
**Service Type:** NEXT DAY AIR

Copy of Form 471  
Black 6 certification  
received



## Package Progress:

Date/ Time	Location	Activity
Jul 7, 2005 10:15 A.M.	LAWRENCE, KS, US	DELIVERY
8:15 A.M.	LAWRENCE, KS, US	OUT FOR DELIVERY
7:40 A.M.	LAWRENCE, KS, US	ARRIVAL SCAN
6:50 A.M.	KANSAS CITY, MO, US	DEPARTURE SCAN
5:59 A.M.	KANSAS CITY, MO, US	ARRIVAL SCAN
5:25 A.M.	LOUISVILLE, KY, US	DEPARTURE SCAN
12:31 A.M.	LOUISVILLE, KY, US	ARRIVAL SCAN
Jul 6, 2005 10:23 P.M.	NEWARK, NJ, US	DEPARTURE SCAN
9:55 P.M.	NEWARK, NJ, US	ARRIVAL SCAN
8:32 P.M.	BETHLEHEM, PA, US	DEPARTURE SCAN
7:54 P.M.	BETHLEHEM, PA, US	ORIGIN SCAN
3:16 P.M.	US	BILLING INFORMATION RECEIVED

Tracking results provided by UPS: Oct 24, 2005 3:49 P.M. Eastern Time (USA)

**NOTICE:** UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

[← Back to Tracking Summary](#)

Application ID : 444367

Do not write in this area

Entity Number 125917

Applicant's Form Identifier IU20-471-Year8

Contact Person Stephen Williams

Phone Number 610 515-6599

## Block 6: Certifications and Signature

- 24 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)
- a ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
- b libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.
- 25 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a	Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23I on all Block 5 Discount Funding Requests.)	2 0 8 9 4 5 . 5 6
b	Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	1 0 0 2 9 3 . 8 6
c	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	1 0 8 6 5 1 . 7 0
d	Total budgeted amount allocated to resources not eligible for E-rate support	1 0 8 6 5 1 . 7 0
e	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	2 1 7 3 0 3 . 4 0
f	Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.	

- 26 ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):
- a ☒ an individual technology plan for using the services requested in this application; and/or
- b higher-level technology plan(s) for using the services requested in this application; or
- c no technology plan needed; applying for basic local and long distance telephone service only.
- 27 ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.
- 28 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.
- 29 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s), or any representative or agent thereof or any consultant in connection with this request for services.
- 30 ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.



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Entity Number	125917	Applicant's Form Identifier	IU20-471-Year8
Contact Person	Stephen Williams	Phone Number	610 515-6599

- 31 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- 32 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- 33 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
- 34 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
- 35 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible components as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1), (2).
- 36 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
- 37 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38	Signature of authorized person	39	Date
	<i>Charlene M. Brennan</i>		02 09 2005
40	Printed name of authorized person		
	D r . C h a r l e n e M . B r e n n a n		
41	Title or position of authorized person		
	A s s t . E x e c u t i v e D i r e c t o r		
42a	Street Address, P.O. Box, or Route Number		
	6 D a n f o r t h D r i v e		
	City		
	E a s t o n		
	State Zip Code		
	P A 1 8 0 4 5		
42b	Telephone number of authorized person	Ext	42c Fax number of authorized person
	6 1 0 2 5 2	5 5 5 0	
42d	E-mail address of authorized person		



Entity Number 125917 Applicant's Form Identifier IU20-471-Year8

Contact Person Stephen Williams Phone Number 610 515-6599

41 Name of authorized person's employer

C o l o n i a l I n t e r m e d i a t e U n i t 2 0

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 471  
P.O. Box 7026  
Lawrence, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms  
ATTN: SLD Form 471  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100**



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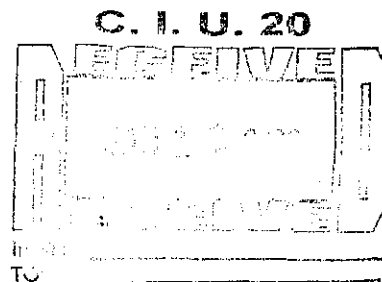


Universal Service Administrative Company  
Schools & Libraries Division

**Administrator's Decision on Appeal – Funding Year 2005-2006**

January 12, 2006

John R. Clark  
Colonial Intermediate Unit 20  
6 Danforth Road  
Easton, PA 18045-7899



Re: Applicant Name: INTERMEDIATE UNIT 20  
Billed Entity Number: 125917  
Form 471 Application Number: 444367  
Funding Request Number(s): 1242912, 1242927, 1242933, 1242936, 1242938,  
1247142, 1247156, 1247179, 1247194, 1247231,  
1247245, 1247271, 1247341, 1247371, 1247839  
Your Correspondence Dated: November 15, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Form 471 Certification Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1242912, 1242927, 1242933, 1242936, 1242938,  
1247142, 1247156, 1247179, 1247194, 1247231,  
1247245, 1247271, 1247341, 1247371, 1247839

Decision on Appeal: **Denied**

Explanation:

- In your appeal letter you state the Form 471 certification was mailed along with the Item 21 documents on February 10, 2005 which is well within the filing window. You provide a UPS tracking number that indicates a delivery date to the SLD of February 14, 2005.
- Upon review of the appeal letter, the relevant facts and documents, it has been determined that you filed the Form 471 application online within the Form 471 application filing window. You stated on appeal that the certification was mailed

along with the Item 21 documents. The Item 21 documents were delivered to Pearson Government Solutions in Kansas on February 11, 2005 with a UPS tracking number that matches the tracking number of the package you stated contained the Form 471 certification. However, there is no certification included with the Item 21 documents. Per program rules, if there is no indication that the Form 471 certification was included with the Item 21 documents, the proof of mailing will not be considered.

- SLD denied your appeal because it determined that your Form 471 Certification was not postmarked on or before the close of the filing window on February 18, 2005. In order to be considered within the filing window, both the application and the certification must be completed. You have failed to demonstrate that the Form 471 Certification was postmarked on or before February 18, 2005. Consequently, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et . al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶¶ 2 and 4. (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

John R. Clark  
Colonial Intermediate Unit 20  
6 Danforth Road  
Easton, PA 18045-7899

Billed Entity Number: 125917  
Form 471 Application Number: 444367  
Form 486 Application Number: